



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA

v.

DUNES EDGE STORAGE, LLC. (1)

JUDGMENT IN A CRIMINAL CASE

(For Organizational Defendants)

CASE NUMBER: 16CR1441-JLS

JEREMY D. WARREN

Defendant Organization's Attorney

☐

THE DEFENDANT ORGANIZATION:

☒ pleaded guilty to count(s) 1 of the Indictment☐ was found guilty on count(s) _____
after a plea of not guilty.

Accordingly, the defendant organization is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy	1

The defendant organization is sentenced as provided in pages 2 through 4 of this judgment.

The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant organization has been found not guilty on count(s) _____
- ☒ Count(s) (remaining counts) is ☐ are ☒ dismissed on the motion of the United States.
- ☒ Assessment: \$400.00 imposed

- ☐ Fine ordered waived
- ☒ Forfeiture pursuant to order filed March 20, 2017, included herein.

IT IS ORDERED that the defendant organization shall notify the United States Attorney for this district within 30 days of any change of name, principal business address, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant organization shall notify the court and United States Attorney of any material change in the organization's economic circumstances.

March 10, 2017

Date of Imposition of Sentence

Janis L. Sammartino
HON. JANIS L. SAMMARTINO
UNITED STATES DISTRICT JUDGE

16CR1441-JLS

DEFENDANT ORGANIZATION: DUNES EDGE STORAGE, LLC. (1)
CASE NUMBER: 16CR1441-JLS

PROBATION

The defendant organization is hereby sentenced to probation for a term of:

Five (5) years

MANDATORY CONDITION

☒ The defendant organization shall not commit another federal, state or local crime.

☒ If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant organization pay any such fine or restitution.

☒ The defendant organization shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant organization shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) within thirty days from the date of this judgment, the defendant organization shall designate an official of the organization to act as the organizations's representative and to be the primary contact with the probation officer;
- 2) the defendant organization shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 3) the defendant organization shall notify the probation officer ten days prior to any change in principal business or mailing address;
- 4) the defendant organization shall permit a probation officer to visit the organization at any of its operating business sites;
- 5) the defendant organization shall notify the probation officer within seventy-two hours of any criminal prosecution, major civil litigation, or administrative proceeding against the organization;
- 6) the defendant organization shall not dissolve, change its name, or change the name under which it does business unless this judgment and all criminal monetary penalties imposed by this court are either fully satisfied or are equally enforceable against the defendant's successors or assignees;
- 7) the defendant organization shall not waste, nor without permission of the probation officer, sell, assign, or transfer its assets.

DEFENDANT ORGANIZATION: DUNES EDGE STORAGE, LLC. (1)
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SPECIAL CONDITIONS OF SUPERVISION

1. Provide complete disclosure of personal and business financial records to the probation officer as requested.
2. Subject corporate records and premises to search by probation officer.
3. The corporation is required to have an effective program to prevent and detect violations of law.
4. Defendant to maintain on-site and make available for inspection on request of Imperial County officials, all receipts for the disposal of septic waste from the RV holding tank.

AO 245S Judgment in Criminal Case
Sheet 5 — Criminal Monetary Penalties

Judgment — Page 4 of 4

DEFENDANT: DUNES EDGE STORAGE, LLC. (1)
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FINE

The defendant shall pay a fine in the amount of \$40,000 unto the United States of America.

This sum shall be paid immediately.
 x as follows:

Pay fine in the amount of \$40,000 through the Clerk, U.S. District Court. Payment of fine shall be forthwith, jointly and severally with Kyle Vestermark. The defendant shall pay the fine during its probation at the rate of \$1,500 per month. These payment schedules do not foreclose the United States from exercising all legal actions, remedies, and process available to it to collect the fine judgment at any time.

Until fine has been paid, the defendant shall notify the Clerk of the Court and the United States Attorney's Office of any change in the defendant's mailing or residence address, no later than thirty (30) days after the change occurs.

The Court has determined that the defendant does have the ability to pay interest. It is ordered that:

 x The interest requirement is waived.

 The interest is modified as follows: